

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION  
Civil Action No. 7:10-cv-00097-D

ERNEST TAYLOR,                     )  
                    Plaintiff,             )  
   )  
vs.                                     )  
   )  
CAROLYN W. COLVIN,             )  
Acting Commissioner of         )  
Social Security,                 )  
                    Defendant.       )  
\_\_\_\_\_  
   )


ORDER

Plaintiff's counsel filed a motion for approval of attorney's fees under section 206(b) of the Social Security Act, 42 U.S.C. § 406(b), in the amount of \$3,849.47. Attorney's fees under section 206(b) are paid from past-due benefits awarded to a successful claimant. 42 U.S.C. § 406(b). Plaintiff has previously been awarded attorney's fees under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412, in the amount of \$2,344.28.

Defendant filed a response indicating that she did not object to the requested fee.

It is ORDERED that Plaintiff's counsel be awarded fees under 42 U.S.C. § 406(b) in the amount of \$3,849.47 and refund to Plaintiff the smaller award between this amount and the EAJA award.

SO ORDERED, this 3 day of May 2015.

  
JAMES C. DEVER III  
Chief United States District Judge